



American Association of
State Highway and
Transportation Officials

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David L. Winstead, President
Secretary

Maryland Department
of Transportation

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MAY 22 1998

Francis B. Francois
Executive Director

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 22, 1998

Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

RE: WT Docket No. 98-20

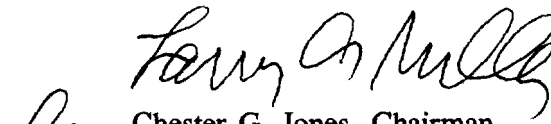
Dear Sir or Madam:

In response to the above-referenced Notice of Proposed Rulemaking, enclosed are an original and nine copies of AASHTO's comments.

These comments were developed by the AASHTO Special Committee on Communications, and are representative of the views of state highway and transportation departments in our nation.

Do not hesitate to so inform me should you require additional information on this submission.

Yours truly,


Chester G. Jones, Chairman
AASHTO Special Committee on
Communications

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Biennial Regulatory Review -- Amendment of)	WT Docket No. 98-20
Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90,)	
95, 97, and 101 of the Commission's Rules)	
to Facilitate the Development and Use of the)	
Universal Licensing System in the Wireless)	
Telecommunications Services)	

TO: The Commission

Introduction

The American Association of State Highway and Transportation Officials (AASHTO) serves as the Commission's certified frequency coordinator for the highway maintenance radio service frequencies as well as public safety shared frequencies.

These Comments on the Commission's Notice of Proposed Rulemaking in the above-captioned proceeding are respectfully submitted by the AASHTO Special Committee on Communications.

Position Statement

AASHTO supports the Federal Communications Commission (FCC) in this proceeding. The Universal Licensing System, as described by the Commission, could enhance the efficiency of the Commission's licensing operation. Its design must, however, incorporate operating procedures which can be easily mastered by all users of the system. The electronic filing of radio station license applications is a process which will benefit all elements of the land mobile radio industry.

Comments

The Commission proposes to require each applicant for wireless systems licenses to obtain a Taxpayer Identification Number or its functional equivalent. This concept, when fully implemented, will improve the security of the Universal Licensing System.

DISCUSSION

Electronic Filing and New Forms

Consolidation of Application Forms. The FCC, in paragraph 18, seeks comment on the consolidation of 41 current FCC forms. The consolidation of, and reduction in the number of forms currently utilized by the Commission could improve efficiency if the new forms are user friendly and require that all essential information required by the Commission and certified frequency coordinators be provided by the forms. For instance, forms should have sufficient space for the frequency coordinator to sign and date the applications as many times as required. There should also be enough space for the frequency coordinator to indicate concurrence from other appropriate coordinating bodies.

Public Safety entities seeking to file applications for a license will use the new FCC Form 601. Specifically, this form should have space to show proof of frequency coordination, and

proof of concurrence by appropriate coordinators, should that information be required for proper processing of an application. Additionally, the FCC Form 600 allows the applicant's name and the call sign for existing licenses, to be entered at the top of schedules A through H. This permits each schedule to be matched with the mainform. The Form 601 should be modified to allow the same information to be listed at the top of each schedule. AASHTO also believes that the new application form should easily lend itself to multiple site (up to six sites per application) licensing.

Training by FCC personnel on how to complete the new forms would be beneficial. This could be accomplished by furnishing instructions with the new forms, as well as video training products

AASHTO further suggests that FCC Form 900 be enhanced to allow cancellation of licenses on the web.

Mandatory Electronic Filing. In Paragraph 25, the FCC states that after implementation of ULS, any data filed manually will be entered or scanned as necessary and will be available in the same fashion as electronically filed information. AASHTO agrees with the FCC and suggests that scanning Federal Aviation Administration (FAA) approval copies would be especially beneficial for this, since the FAA works closely with the FCC to communicate information on FAA tower approvals.

Filing of Pleadings Associated with Applications. In Paragraph 27, the FCC requests comments on its proposal to continue accepting paper copies, and require a disk to accompany all paper filings. AASHTO supports this concept, and recommends that the FCC plan to accept multiple forms of current word processing software. AASHTO also recommends that the FCC require a diskette with an ASCII text (or.txt) file along with the word processor file.

Letter Requests. In Paragraph 29, the Commission seeks comments on whether they should accept letter requests of certain actions, instead of formal application filings. AASHTO believes that requests on specific forms, for minor modifications, should be accepted and automatically granted.

Standardization of Practices and Procedures for WTB Applications and Authorizations.

Standardization of Major and Minor Filing Rules. In Paragraph 39, the FCC proposes that any conversion of a site-specific license into a single wide-area license where there is no change in the licensee's aggregate service are should be deemed a minor change. AASHTO opposes this notion. Such a measure would give unfair advantage to state agencies by permitting them to obtain statewide licensing, to the detriment of narrower jurisdictions. For instance, if the state police has a specific site that it operates, and eventually decides to move to wide-area operation, the state police operation could interfere with almost any county-wide operation on that frequency.

Returns and Dismissals of Incomplete or Defective Applications. In Paragraph 51, the FCC describes how the ULS filing system will "interactively perform certain clearances such as verifying tower registration." AASHTO applauds the FCC's recognition of the need for such a feature, and suggests that the FCC also program the ULS to verify the need for clearance from the Federal Aviation Administration (FAA). This attribute would remind a licensee of the need to obtain FAA clearance before completing licensing input.

In Paragraph 53, the FCC proposes to conform filing rules for all WTB applicants, including manual filers, to the same requirements and procedures for defective or incomplete applications. AASHTO requests clarification on the issue of dismissing a manually filed

applications with no valid signature and asks, specifically, if the FCC will continue to require an original signature on manually filed applications.

Discontinuation of "Reinstatement" Applications. In Paragraph 55, the FCC seeks comment on whether to modify rules to utilize ULS to notify applicants of the renewal period for their licenses. AASHTO believes that the FCC *should* utilize ULS to notify applicants of the renewal period for their licenses, and, by such action, cancel licenses that are not renewed by their expiration dates.

In Paragraph 56, the FCC requests opinions on the matter of sending notices to all wireless radio services licensees 90 days before the expiration of their licenses. AASHTO supports the FCC's use of ULS to notify licensees of their approaching license expirations. However, in Public Safety, AASHTO agrees that a notice be sent out 90 days before a license is due to expire.

Change to North American Datum 83 Coordinate Data. In Paragraph 70, the FCC proposes that all wireless radio services application processing requiring the submission of site coordinate data be revised to require that coordinate data be supplied using the NAD83 datum for sites located in the coterminous United States and Alaska. Additionally, the FCC proposes that the rules be changed to require that applicants outside the contiguous United States and Alaska, such as Hawaii, Puerto Rico, and the South Pacific Islands, to use site coordinate data. AASHTO comments that the FCC *should* definitely use the NAD83 coordinate system to be consistent with the FAA. With the FAA and the FCC using the same coordinate system, the result would be more accurate licensing decisions.

Use of Taxpayer Identification Numbers. In Paragraphs 72 through 75, the FCC seeks comment on its use of taxpayer identification numbers (TIN) to register radio station applicants

with the ULS. AASHTO notes that information provided by the FCC in this Notice of Proposed Rulemaking does not seem to consider governmental entities, with multiple agencies, will be applying for licenses. Some of AASHTO's member departments have experienced considerable problems when all of their state's agencies used the same TIN. AASHTO suggests that the field for TIN numbers be expanded by three spaces, allowing for a dash and two digits. This would allow governments to have multiple agencies listed under one TIN number.

Collection of Licensing and Technical Data

Use of Notification or Certification in Lieu of Informational Filings. In Paragraph 80, the FCC proposed to require that wireless radio services licensees be required to file certifications and notifications electronically. AASHTO supports the FCC's proposal to require applicants to file electronically, if the FCC provides software, at no cost to the applicant, to assist the implementation of this notion. Amortized over all the FCC's applicants, and the time that will be saved by the standardization, it would be less expensive than the procedure currently in place.

PROCEDURAL MATTERS

Comment Dates

In Paragraph 99, parties are encouraged to submit comments and reply comments on diskette, in addition to the formal filing requirements to establish electronic access to these documents. AASHTO suggests that the FCC purchase translation software (already on the market) to translate common *current* versions of word processing software to enable the FCC to print documents that are electronically submitted. Requiring applicants to submit documents in only one outdated format, such as WordPerfect 5.1 for Windows, is not reasonable.

Conclusion

AASHTO supports the proposal to require electronic filing of all short form and long form applications beginning January 1, 1999. This process should reduce the burden created by the need for data entry by the Commission staff. The frequency coordinators currently enter application data into their data bases and then transmit that information to all other coordinators electronically. Electronic filing will enable the coordinators to then transmit completely coordinated electronic applications to the Commission.

proof of concurrence by appropriate coordinators, should that information be required for proper processing of an application. Additionally, the FCC Form 600 allows the applicant's name and the call sign for existing licenses, to be entered at the top of schedules A through H. This permits each schedule to be matched with the mainform. The Form 601 should be modified to allow the same information to be listed at the top of each schedule. AASHTO also believes that the new application form should easily lend itself to multiple site (up to six sites per application) licensing.

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AASHTO further suggests that FCC Form 900 be enhanced to allow cancellation of licenses on the web.

Mandatory Electronic Filing. In paragraph 23 we are asked for opinion on whether it would benefit applicants subject to electronic filing for the Commission to maintain computer facilities in field offices and at the Washington, DC office. AASHTO suggests that the FCC find out by placing test facilities in the field offices. The FCC could place a computer in each office, and announce the availability of such facilities in its newsletters. We propose that license applicants pay a small fee for the use of such facilities, and that the FCC conduct an evaluation two years after placement of the computers to determine the feasibility of maintaining such a facility.

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The AASHTO Special Committee on Communications requests that the Commission consider and act favorably upon these reply comments as it proceeds with this matter.

Respectfully submitted,
AASHTO Special Committee on Communications

By: 
Chester G. Jones, Chairman
AASHTO Special Committee on Communications